REMARKS

The Office examined claims 1-30, 33 and 35, and rejected same. With this paper, claims 1, 4, 5, 8, 9, 13, 15, 16, 19, 20, 23, 24 30, 33 and 35 are amended, claims 3 and 18 are canceled, and none are added. The application now includes claims 1-2, 4-17, 19-30, 33 and 35.

Claim Rejections under 35 USC §103

Claims 1-30, 33 and 35 are rejected under 35 USC §103(a) as being unpatentable over Takagi et al (U.S. Patent No. 6,091,733, Takagi hereinafter) in view of Olin et al (US Publication 2004/0005878, Olin hereinafter).

In the rejected claims, claims 1, 16, 33 and 35 are independent, and, as currently amended, all of the independent claims contain corresponding features.

Claim 1 is now amended to recite a method that comprises: 1) establishing a local connection in a terminal device between an application client and a proxy module according to a local access profile associated with the application client; 2) selecting an access point among a plurality of access points in the terminal device; and 3) establishing a further connection between the proxy module and a remote server of a network through the selected access point so as to establish a communication connection between the terminal device and the network for the application client. Each access point connects with the network using a respective transport bearer.

In the Office Action, the Office acknowledged that Takagi fails to explicitly disclose "selecting an access point among a plurality of access points ... " (Detailed Action, page 3, lines 16-19). However, the Office cites Olin for teaching the above feature.

Olin teaches a plurality of access points for a mobile device to connect to a packet-based network through one of the access points. The access point, as defined by Olin, is a physical entity that comprises means for communicating with at least one gateway having access to a remote service, first communication means for wireless communication with

mobile devices, second communication means for establishing communication with at least one more access point in order to form a network between at least said access points, etc. (paragraph [0008]). Figures 1, 3, and 5 of Olin clearly show that a mobile device in communication with one or more access points which are located remote to the mobile device, and through which the mobile device is connected with a communication network. Thus, the definition of the "access point" according to Olin is fundamentally different from that of the present application.

In the Background of the Invention section of the present application, it is described that a terminal device, such as a smart phone, has a plurality of network interfaces (bearers) for accessing a plurality of different radio networks (e.g. GPRS, CSD, HSCSD, Inferred, Bluetooth, WLAN etc.). According to the present application, a network interface is an access point (see page 1, lines 12-16 of the originally filed application). Figures 2 and 3 of the present application clearly show that access points (interfaces) are functional components of the terminal device 100. Each access point (or access interface) is associated with an access point profile. The access point profile comprises settings and parameters for connecting the device to the network using a respective transport bearer.

As shown in Figures 3 and 4 of the present application, the method of claim 1 is carried out inside the terminal device. An application client (such as the email client 105) in the terminal device 100 establishes a communication connection with a remote network 120 through a proxy module 115, which is a so-called middleware. The application client first establishes a local connection between the application client 105 and the proxy module 115. The proxy module 115 then selects an access point among a plurality of access points A, B and X for establishing a further connection to the remote network 120 through the selected access point (A, B or X). The advantages of the present invention include that the application client only needs to establish a local connection with the proxy module using a local connection profile. The proxy module then takes care of selecting an access point so that the application client does not have to specify which bearer to use for the communication connection with the network, and the proxy module selects the bearer which it considers is optimum.

Clearly, the present invention does not concern selecting an access point of a remote network, the access point being located outside the terminal device. Therefore, what Olin teaches is not relevant to the present invention. Neither Takagi nor Olin discloses a proxy module that selects an access point in the terminal device. Therefore, it would not be possible to find all of the features of the present invention by combining Takagi with Olin.

Based on the foregoing, the amended claim 1 is patentable over Takagi in view of Olin. Claims 16, 33, 35, and all the dependent claims of the present application, are also patentable. Applicant respectfully requests the above rejection of claims 1-30, 33 and 35 under 35 USC §103(a) be reconsidered and withdrawn.

Conclusion

For all the foregoing reasons, it is believed that all of the claims of the application are allowable, and their passage to issue is earnestly solicited. Applicant's agent urges the Examiner to call to discuss the present response if anything in the present response is unclear or unpersuasive.

Respectfully submitted,

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